

**REMARKS**

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated November 10, 2004, claims 1-23 are pending in the application. Claims 2, 3, 10, 11, 14, and 16 have been cancelled. Claims 24-26 have been added. Applicants respectfully request the Examiner to reconsider the rejection of the claims.

Applicants have amended the specification to clarify the number of the proportional integral derivative controller and the controller. Also, paragraphs 1, 8 and 54 have been amended to provide the serial numbers therein.

Claims 1-21 were objected to for several informalities. Applicants believe that these rejections are overcome by the amendments.

Claims 9-16 stand rejected under 35 U.S.C. §112, second paragraph. Applicants have amended Claim 8 to recite the rollover control system as set forth in the preamble of the claim. Applicants respectfully submit that this rejection is believed to be overcome.

A provisional double-patenting rejection has been set forth. The claims of the application 10/628,484 and 10/628,685 have been amended. Therefore, this rejection is believed to be overcome.

Claims 17 and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Inagaki* (5,640,324). Claim 17 has been amended and is believed to overcome this rejection. The *Inagaki* reference among other things does not teach or suggest a transition controller and a proportional derivative controller. Also, the *Inagaki* reference is a dynamic control system but does not teach or suggest controlling or determining a roll angle. Therefore, Applicants respectfully submit that Claims 17 and 18 are believed to be overcome by the amendment set forth above.

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by *Ding* (6,427,102). Applicants believe that the *Ding* reference does not teach or suggest the use of a transition controller and a proportional derivative controller. Also, the *Ding* reference is different

in that various systems such as antilock brake system 10 and traction control system 11 and yaw control system 12 feed into the control arbitration block 21. However, each of these is used for controlling the engine management unit 20. The control arbitration signal is also provided to the transverse dynamics 19 which represent the transverse dynamics of the vehicle. Applicants respectfully submit that this is not controlling a safety system of the vehicle in response to the higher of the control levels. It should also be noted that Claim 1 now recites a transition controller and a proportional-derivative controller that are not taught or suggested in the *Ding* reference. Applicants therefore respectfully request the Examiner to reconsider this rejection as well.

Claims 1-23 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Lu* (6,654,674). Applicants respectfully submit that each of the independent claims has been modified to overcome this rejection. For example, the claims now recite a transition controller and a proportional-derivative controller. Although line 16 of Col. 9 recites "adaptive proportional, integral, derivative and double derivative control gains", no teaching or suggestion is provided for a PID controller and a transitional controller. Applicants therefore respectfully request the Examiner to reconsider this rejection as well since each and every one of the elements of the claims is not found in the *Lu* reference.

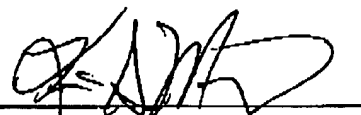
Claims 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Inagaki* in view of *Wielenga*. Claim 19 has been cancelled. Claim 20 depends from Claim 17 and now recites that the roll angle corresponds to two-wheel lift. However, Claim 17 has been substantially amended and it is believed that neither the *Inagaki* reference nor the *Wielenga* reference teach a transition controller and a proportional-derivative controller. Applicants therefore respectfully request the Examiner to reconsider the rejection of Claim 20.

In light of the above remarks, Applicants submit that all rejections are now overcome and the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the

application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to deposit account 06-1510 or, if insufficient funds in that account, use deposit account 06-1505.

Respectfully submitted,



Kevin G. Mierzwa  
Registration No. 38,049  
Attorney for Applicants

Date: 2-9-05

Artz & Artz, PC  
28333 Telegraph Road, Suite 250  
Southfield, Michigan 48034  
(248) 223-9500